

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-445266-001 SE

02/06/2015

COMMISSIONER CHARLES DONOFRIO III

CLERK OF THE COURT

A. Gonzalez

Deputy

STATE OF ARIZONA

HUMBERTO R PRECIADO III

v.

MELISSA J FRIEDLANDER (001)

DOB: 5/9/1973

DEREK OLIVERSON

APO-SENTENCE IMPRISON-SE

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SENTENCE OF IMPRISONMENT

COURTROOM – CCB 802

9:44 a.m. This is the time set for Sentencing in CR2013-445266-001 and Disposition in CR2008-176251-001.

State's Attorney: Adam Garvin for Humberto Preciado, III

Defendant's Attorney: Derek Oliverson

Defendant: Present

Court Reporter: Wanda Bauer

Proceedings are also electronically recorded.

LET THE RECORD REFLECT Court and counsel discuss matters at the Bench prior to going on the record in this case.

The Court has considered 17 letters written on the Defendant's behalf, including letters from Defendant's Mother, Father, Sisters, several cousins, several friends, Defendant's therapist in England, friends in Africa; as well as letters from Teen Challenge.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-445266-001 SE

02/06/2015

Count 1 As Amended: WAIVER OF TRIAL: Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs

Class 4 Felony With One Prior Felony Conviction

A.R.S. § 28-1381(A)(1), 28-1383(A)(2), 28-3001, 28-3304, 28-3305, 28-3315, 28-1383(J), 28-1444, 28-1461, 13-610, 13-701, 13-703, 13-801

Date of Offense: December 2, 2012

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 7.5 YEARS from February 6, 2015

Presentence Incarceration Credit: 70 days

Aggravated

CONCURRENT. Sentence is concurrent with CR2008-176251-001.

THE COURT FINDS, pursuant to A.R.S. § 13-703 or § 13-704, that the Defendant has been convicted of the following prior felony offense: FORGERY, a Class 4 Felony committed on June 27, 1994 and convicted on November 22, 1994, in Superior Court of Maricopa County Arizona, CR1994-092144-001, while represented by counsel.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

FINE: Count 1 - Total amount of \$1,372.50 which includes surcharges of 83%.

ASSESSMENTS:

Count 1: \$250 to the DUI Abatement Fund.

Count 1: \$1,500 to the Prison Construction and Operations Fund.

Count 1: \$1,500 to the Public Safety Equipment Fund pursuant to A.R.S. § 41-1723.

Count 1: PROBATION ASSESSMENT: \$20.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-445266-001 SE

02/06/2015

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13 - Investigative Agency: Gilbert Police Department.

BENCH WARRANT FEE: Count 1: \$45.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS ORDERED granting the Motion to Dismiss Counts 2 through 4, and the Allegation of prior felony convictions with the exception of the one used to enhance this offense.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

FILED: Probation Violation/Presentence Investigation Report (in CR2014-445266-001)

IT IS ORDERED revoking Defendant MELISSA JOY FRIEDLANDER's (dob 5/9/1973) driver's license and driving privilege. Defendant shall not operate a motor vehicle without a valid driver's license. The Disposition Clerk is directed to forward a certified abstract and copy of this sentencing minute entry to the State of Arizona Motor Vehicle Division. At the Defendant's expense, Defendant shall install an ignition interlock device if and when Defendant's driving privileges are reinstated.

9:57 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-445266-001 SE

02/06/2015

LET THE RECORD REFLECT Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ Charles Donofrio

HON. CHARLES DONOFRIO
COMMISSIONER SUPERIOR COURT

(right index fingerprint)